



April 24, 2023

VIA ECF

The Honorable Katherine H. Parker, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Douramanis v. Dur-America Brokerage Inc. et al
No. 1:20-cv-05825-KHP

Dear Judge Parker,

Please be advised that I represent the Plaintiff in the above captioned employment dispute. I write this letter in accordance with Your Honor's Order dated April 21, 2023. There was clearly a misunderstanding among counsel with respect to the way the depositions would be taken.

Plaintiff and I are unable to attend the deposition in person for a variety of reasons. First, Plaintiff saw her physician last week and was advised that she may be actively experiencing an MS attack. Thus, while she waits for the results she was advised to stand by as she may need a nurse to come to her home to administer steroids intravenously. Second, Plaintiff and I are unable to travel due to childcare considerations. I have one year old twins and need to be home no later than 5pm. Lastly, Plaintiff's spouse is using their vehicle (in connection with caring for their children) and Plaintiff does not have alternate means of transportation.

I informed Defendants' counsel that we have no issue appearing via Zoom; however, he was unwilling to accommodate. I asked Defendants' counsel why it was necessary for us to appear in person, but he did not provide a response. As stated in their letter, Defendants want to hold the deposition in person "to assess her demeanor." It strains credulity that they would be unable to do so over Zoom. Notably, we are taking Defendants' depositions over Zoom. Based on the foregoing, it is unduly burdensome for us to appear in person and we respectfully request that Your Honor permit Plaintiff to appear via Zoom.

Thank you for the Court's attention to this matter.

Respectfully submitted,

DEREK SMITH LAW GROUP, PLLC
/s/Zack Holzberg
Zack Holzberg

Cc: Counsel for Defendants (via ECF)

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